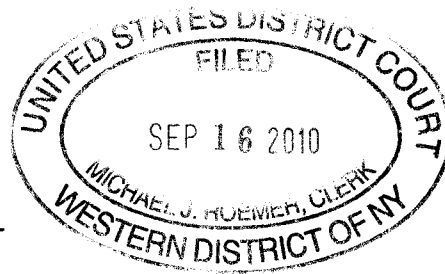


UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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-PS-O-

DANA P. BROWN,

Plaintiffs,

-v-

KEVIN BRUN, LAWRENCE HALE,  
ROBERT BRUMSTEAD, JASON ZIOLKOWSKI,  
CHRISTOPHER FITCH, TIMOTHY EBERTH,  
EDWARD NOWAK, CRAIG YACKEREN, STEVE GOLAB,  
RICHARD HARCROW, DOUGLAS NOLAN,  
CRAIG OLSZEWSKI, STEVE KUJAWSKI,  
RICHARD PISTNER, THOMAS JUDASZ,  
SUPERINTENDENT CONWAY,  
COMMISSIONER FISCHER, and LT. MURRAY,

Defendants.

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**DECISION AND ORDER**  
10-CV-0397A

For the reasons set forth previously in this Court's Decision and Order, filed September 8, 2010 (Docket No. 4), if plaintiff does not file an amended complaint by October 10, 2010, as directed in said Order, the Clerk of the Court is directed to cause the United States Marshals Service, in addition to serving the summons and complaint and the Decision and Order, filed September 8, 2010 on defendants Kevin Brun, Lawrence Hale, Jason Ziolkowski, Joseph Jankowski, Christopher Fitch, Timothy Eberth and Lt. Murray, to serve the summons and complaint, along with this Decision and Order and the Decision and Order, filed September 8, 2010, on defendants Robert Brumstead and Steve Kujawski at the Attica Correctional Facility, without plaintiff's payment therefor, unpaid fees to be

recoverable if this action terminates by monetary award in plaintiff's favor.

Defendants, pursuant to 42 U.S.C. § 1997(e)(g)(2), are directed to respond to the complaint.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Richard J. Arcara", is written over a horizontal line.

HONORABLE RICHARD J. ARCARA  
DISTRICT JUDGE  
UNITED STATES DISTRICT COURT

Dated: Sept. 16, 2010